

Exhibit

A

Kyle Johnson

From: Niel Prosser
Sent: Thursday, April 21, 2022 5:29 PM
To: MMcLaren@blackmclaw.com; JRyland@blackmclaw.com
Cc: Niel Prosser; Kyle Johnson; Branson, John
Subject: Ordered Production Overdue
Attachments: 2019-03-04 50 North Production Privilege Log.pdf

Mike and John,

I write you about the Court's March 21st Order (ECF 401) that denied 50 North's Appeal of the Magistrate's Order regarding the Subpoena issued to Madison. As you know, this Order (and the underlying pleadings) related to the issue of documents being withheld on a privilege involving Joel Friedman. The Magistrate's original Order required Madison to "produce all documents responsive to the subpoena no later than twenty days from the date of this Order." See ECF 138 at PageID 2098, Order Denying Remainder of Motion to Quash Subpoena Issued to Madison Realities LLC and Granting Raymond James's Motion to Strike. The Court's recent Order affirmed the Magistrate's ruling. (See ECF 401).

More than 20 days have now passed since this affirmance and yet neither Madison nor 50 North have produced any documents. Given that 50 North's March 4, 2019 Privilege Log reflects Mr. Friedman's name **3,074 times** based on an assertion of privilege (see attached), there are unquestionably numerous documents that should have been produced. Many of these documents have long been collected by virtue of the fact that they are listed in 50 North's Privilege Log which was produced over two years ago. These documents should be produced immediately – i.e. no later than next Tuesday (April 26th). There are also undoubtedly additional, un-logged documents covered by the Court's Order (e.g. the Subpoena requires the production of documents "to date"). We ask that these documents be produced forthwith -- i.e. no later than next Friday (April 29).

Please give me a report on the status of your work to comply with the Court's Order by at least the close of business Monday (April 25th). Given that its production is already late, if we do not hear from you we will reluctantly have to raise 50 North's and Madison's non-compliance with the Court. Thanks, Niel.

PROSSER, CLAPPER & JOHNSON



Niel Prosser
Partner
5865 Ridgeway Center Parkway, Suite 300
Memphis, TN 38120
Office: 901-820-4433 | Cell: 901-239-0363

www.ProsserLaw.com